



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 28, 1992

Ms. Lena Guerrero
Chairman, Office of Railroad Commission
of Texas
Capitol Station--P. O. Box 12967
Austin, Texas 78711-2967

OR92-275

Dear Ms. Guerrero:

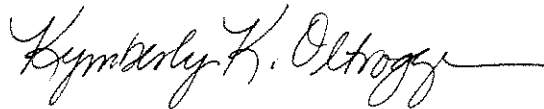
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act (the act), V.T.C.S. article 6252-17a. Your request was assigned ID# 15602.

You have received a request for "the name of the company issuing the complaints against Southwest Lift." You explain that these complaints led the Railroad Commission (the commission) to conduct two investigations in a two year period to determine whether Southwest Lift, Inc. violated V.T.C.S. article 911b, section 16(b), by using uncertificated motor carriers for regulated hauls. The commission closed the first investigation in 1990 after it sent a warning letter to Southwest Lift, Inc. The commission closed the second investigation in 1992 after the investigating auditor recommended that the commission take no action.

The request appears to be in the form of an interrogatory rather than a request for records. The act does not require a governmental body to prepare new information in response to a request; nor does the act require a governmental body to prepare answers to questions. Open Records Decision Nos. 555 (1990) at 1. However, the act obligates a governmental body to make a good faith effort to relate a request to information in its possession. Open Records Decision No. 561 (1990) at 8. When a governmental body is presented with broad requests for information rather than for specific records, it may advise the requestor of the types of information available so that he or she may narrow the request. *Id.* at 9. Once the governmental body has clarified the intent of the request, you must release the information within ten days or request an open records decision from this office.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-275.

Yours very truly,

A handwritten signature in cursive script, reading "Kimberly K. Oltrogge", followed by a horizontal line.

Kimberly K. Oltrogge
Assistant Attorney General
Opinion Committee

KO/lmm

Re: ID# 15602

cc: Mr. David A. Lindley
Vice President-Operations
Southwest Lift, Inc.
4001 North Pan Am Expressway
San Antonio, Texas 78219